

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	No. CR 10-0177 SBA (LB)
)	
Plaintiff,)	
)	SUPPLEMENTAL ORDER RE RELEASE
v.)	
)	
JOSE ALBERTO VEGA MUNIZ,)	
)	
Defendant.)	
_____)	

On May 28, 2010, the Court ordered Muniz's pretrial release based on defense counsel's representations that separately-retained immigration counsel believed that immigration authorities would authorize Muniz's release on bail. *See* docket # 14 (release order).

The Court issues this order to clarify that if immigration authorities do not release Muniz on bail, and if he thus is subject to deportation based on the existing warrant of removal, this Court will order him detained to ensure his presence in the United States for further proceedings. *See* docket # 14 at 7 ("if any warrant of removal becomes final or if there is a danger of deportation, the defendant can be writted over and remanded into custody"). To accomplish this detention, the government can secure the defendant's presence by transporting him here in ICE custody, seeking an administrative writ (which this Court will sign), or by such other process (such as a Marshal's hold pursuant to a warrant) that the government suggests. As the Court previously

SUPPLEMENTAL ORDER
(CR 10-0177 SBA (LB))

1 directed in its order to immigration authorities, under no circumstances should Muniz be
2 deported while there is a pending criminal case.

3 The case is currently set before Judge Armstrong on Tuesday, June 8, at 9 a.m. for an initial
4 appearance and for the government's appeal of the Court's release order.

5 IT IS SO ORDERED.

6 DATED: June 2, 2010



LAUREL BEELER
United States Magistrate Judge